

REMARKS

Reconsideration of the above referenced application, as amended, is respectfully requested.

Amendments to Claims

Claims 6, 7, 18, 20, 22, 23, 25, 26, 27, 29 and 30 have been cancelled to more clearly present the application.

Claims 3 and 24 have been amended to revise dependency.

Claim 10 has been amended to be put into independent form. Basis is in original claim 1, and in the specification at page 4, line 18. Applicants note, with appreciation, that claims 10-12 have been indicated to have allowable subject matter. Claim 10 has been amended to be independent and claims 11 and 12 depend from claim 10. Reconsideration of the objection to claims 10-12 as amended is respectfully requested.

Claim 21 has been amended to more clearly define the three-way catalyst. Basis is at in the specification at page 5, lines 13-19.

Claim 31 has been amended to more clearly present the invention. Basis at page 4, lines 13-20. The undercoat is disposed directly on the carrier as a soluble Group IIa metal and then formed into the Group IIa metal oxide. Basis is at page 6, lines 7-18. The topcoat has been amended to indicated that the topcoat layer three-way conversion catalyst material is in the absence of a Group IIa metal oxide. Basis for this is in the specification at page 6, lines 25-30 and the Examples (page 8).

Status of Claims

Claims 1 and 2 had been canceled and by this amendment claims 6, 7, 18, 20, 22, 23, 25, 26, 27, 29 and 30 have been canceled.

Claim 3 had been indicated to have allowable subject matter. The indication of allowable subject matter has been withdrawn based on U.S. Patent No. 5,874,057 to Deeba et al. for the reasons recited

below. Claim 3 has been objected to as having incorrect dependency. Claim 3 has been amended to correct the dependency.

Claims 10-12 have been indicated to have allowable subject matter. Claim 10 has been revised to be in independent form and claims 11 and 12 depend from claim 10. Consideration of claim 10 as amended and depending claims 11 and 12 is requested.

#### Rejection Under 35 USC § 102(b)

Claims 3-6, 8-9, 13-21, 23-26 and 28-31 have been rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,874,057 to Deebe et al. ("Deebe") for the reasons presented in the Office Action at pages 2-6. Reconsideration of this rejection is requested for the reasons that follow.

#### The Present Invention

The present invention as indicated in claim 31 is directed to a layered catalyst comprising a carrier an undercoat comprising the recited Group IIa metal oxide disposed directly on the carrier as a soluble Group IIa metal and then formed into the Group IIa metal oxide. The Group IIa metal oxide suppresses the release of hydrogen sulfide. There is at least one topcoat discrete layer segregated from and disposed on the undercoat. The topcoat comprises a three-way catalyst material in the absence of a Group IIa metal oxide.

#### US Patent No. 5,874,057 ("Deebe") Does Not Anticipate

Deebe does not disclose a layered catalyst having an undercoat comprising a Group IIa metal oxide selected from the group consisting of magnesium oxide, calcium oxide and strontium oxide and mixtures thereof disposed directly on the carrier as a soluble Group IIa metal and then formed into the Group IIa metal oxide; and at least one

topcoat discrete layer segregated from, and disposed on the undercoat, said topcoat layer comprising at least one layer of a three-way conversion catalyst material in the absence of a Group IIA metal oxide.

Therefore, claim 31 and dependent claims 3-5, 8, 9, 13-17, 19, 21, 24, and 28 are not anticipated by Deeba. Accordingly, entry of the amendment to claim 31, and withdrawal of the rejection of claims under 35 USC § 102(b) is requested.

Rejection under 35 USC § 103(a)

Claims 7, 22 and 27 were all rejected under 35 USC § 103(a). All of these claims have been canceled. Accordingly, withdrawal of the rejection under 35 USC § 103(a) is requested.

Entry of the above amendment, withdrawal of the objections and rejections under 35 USC § 102, and 35 USC § 103 and allowance of claims 3-5, 8-17, 19, 21, 24, 28 and 31 is respectfully requested.

Applicants submit their application is in condition for allowance and respectfully request the same. Should the Examiner have any further questions or require further clarification, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,



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